

So the next time the President or some of his staff or Secretary of Energy or Secretary of Interior try to spin the American people and tell them they are trying to help, I hope my friends in the media go, well, what about this memo? Come on, that is like basic Federal Government 101. If you are telling everybody, stop, halt, and everything in the country has to be approved by her, that is not the way it works normally. But because of their anti-energy agenda, she is making the calls—but make sure that you give her a heads-up, if it is related to some of the far-left agenda that she literally lays out in the memo.

I hope my friends in the media ask some questions. I hope they ask the question: Is it related to this memo that New Mexico is getting all the drilling permits? It would be a good question to ask, I think. Don't you think? I think so. Alaska's not getting a lot, but New Mexico is. I wonder why. Maybe that is related to making sure she gets, "early notification of items that are of high local, State or regional interest."

This is not a laughing matter. There is so much that we have to focus on in the world today, in America today, and one of the things this administration needs to do is they need a major course correction on their energy policy.

You can't let energy be dictated by the far left of the Democratic Party. You can't let national security of America be dictated by the "woke" elements of the Democratic Party. And if you really are serious, Mr. President of the United States, you need to call Deb Haaland and say: Rescind that memo. Let the officials, the professional staff of the Federal Agencies, which the President has charged to do their job that they have done with every other administration—rescind this memo and start helping our country produce American energy again.

I yield the floor.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## JOINT EXPLANATORY STATEMENT FOR THE INTELLIGENCE AU- THORIZATION ACT FOR FISCAL YEAR 2022

Mr. WARNER. Madam President, this explanation reflects the status of negotiations and disposition of issues reached between the Senate Select Committee on Intelligence and the House Permanent Select Committee on Intelligence for the Intelligence Authorization Act for Fiscal Year 2022.

The explanation shall have the same effect with respect to the implementation of this act as if it were a joint explanatory statement of a conference committee.

I ask unanimous consent that the Joint Explanatory Statement for the Intelligence Authorization Act for Fiscal Year 2022 be printed into the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

## JOINT EXPLANATORY STATEMENT—INTEL- LIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2022

The following is the Joint Explanatory Statement (the "Explanatory Statement") to the Intelligence Authorization Act for Fiscal Year 2022 ("the Act"), which has been included as Division X of the Consolidated Appropriations Act, 2022. The Explanatory Statement reflects the result of negotiations and disposition of issues reached between the Senate Select Committee on Intelligence ("SSCI") and the House Permanent Select Committee on Intelligence ("HPSCI") (together, the "Committees"). The Explanatory Statement shall have the same effect with respect to the implementation of the Act as if it were a joint explanatory statement of a conference committee.

The Explanatory Statement comprises three parts: an overview of the application of the annex to accompany this statement; a statement on anomalous health incidents; and unclassified congressional direction.

## PART I: APPLICATION OF THE CLASSIFIED ANNEX AND SCHEDULE OF AUTHORIZATIONS

The classified nature of U.S. intelligence activities prevents the Committees from publicly disclosing many details concerning their final decisions regarding funding levels and policy direction. Therefore, in addition to the Schedule of Authorizations, a classified annex to the Act—referred to here and within the annex itself as the "Agreement"—has been prepared to describe in detail the scope and intent of the Committees' actions.

The Agreement supersedes the classified annexes that accompanied H.R. 5412 and S. 2610; and reconciles differences between the Committees, with respect to the National Intelligence Program (NIP). The Agreement also makes recommendations for the Military Intelligence Program (MIP) and the Information Systems Security Program (ISSP). The Agreement authorizes the Intelligence Community (IC) to obligate and expend funds not altered or modified by the classified Schedule of Authorizations as requested in the President's budget, subject to modification under applicable reprogramming procedures.

The classified Schedule of Authorizations is incorporated into the bill pursuant to Section 102. It has the status of law. The Agreement supplements and adds detail to clarify the authorization levels found in the bill and the classified Schedule of Authorizations.

The Committees view direction and recommendations, whether contained in the Explanatory Statement or in the Agreement, as requiring compliance by the Executive Branch.

## PART II: STATEMENT REGARDING ANOMALOUS HEALTH INCIDENT

From the time the Committees received the first "Havana Syndrome" reports, the Committees have focused intently on the anomalous health incidents ("AHIs") that have afflicted United States Government personnel, including many in the Intelligence Community (IC) and other United

States Government personnel. Provisions of the Act reflect that continuing, bicameral and bipartisan effort.

The Biden Administration also has pursued its own initiatives. As directed by Congress, it earlier this year appointed a senior official, within the National Security Council, to oversee the government's response to AHIs. Additionally, in recent months, a widely-discussed assessment concluded that a majority of reported AHIs can be explained by medical conditions or environmental or technical factors, and that it is unlikely that a foreign actor—including Russia—is engaged in a sustained, global campaign involving hundreds of incidents without detection. But the assessment left other cases unexplained, including a small subset that the IC continues to scrutinize most closely.

Around the same time, an IC panel of experts determined that certain AHIs cannot be explained by environmental or medical conditions, but could be due to external stimuli. While acknowledging important information gaps, the panel further determined that pulsed electromagnetic energy—and, in some cases, ultrasound—plausibly might explain AHIs' core characteristics; and that psychosocial factors alone could not account for those characteristics, though they might cause some other incidents or contribute to long-term symptoms.

These findings advance the United States' understanding of AHIs. But these findings are also heavily qualified, tentative, and based on a developing and incomplete body of evidence and scientific and medical knowledge. Most important, as the Committees wish to stress, these recent developments do not justify shifting the Executive Branch's AHI-related activities into a lower gear, or discrediting the reports of AHI victims.

The core work on AHIs—to include examination of a potential role by one or more foreign actors—must continue apace. As with prior inquiries into complex and murky intelligence problems, unraveling the AHI mystery fully may take time. It might be years before the United States reaches definitive conclusions about exactly who, or what, is behind AHIs.

The Administration has acknowledged that a great deal remains to be done. Indeed, much more evidence will have to be gathered. Plausible theories regarding responsibility for AHIs will have to be weighed against a record that will grow and change over time, and potentially may have to be revisited if circumstances warrant. And no plausible theory should be ruled out or downplayed prematurely.

Success will depend on many factors. Among other things, it will be important to have a well-resourced cadre of "cross-cleared" individuals, at all relevant IC elements and other Executive Branch organizations, who can readily review and analyze all relevant intelligence and information, and without hindrances. The Committees long have emphasized this, with respect to AHI and many other priority intelligence matters. However, the Executive Branch has yet to take all necessary steps, to do away with excessive compartmentation and unnecessary bureaucracy; and to ensure that, for AHI and for other vital missions, the right people consistently and easily can access necessary information. That will have to change.

Treatment also must remain a matter of highest priority. All AHI victims must be encouraged to file prompt reports of their experiences, and without fear of being disbelieved or dismissed. They and their families must receive the highest quality medical and